



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 6 2013

OFFICE OF
AIR AND RADIATION

Mr. Robert C. Ford
Vice President
Casey's Retail Company
P.O. Box 3001
Ankeny, Iowa 50021-8045

Dear Mr. Ford:

This letter is in response to your letter of June 28 2013, seeking approval for Casey's Retail Company to use the March 2, 2012 Model Misfueling Mitigation Plan (Model Plan)¹ developed by the Renewable Fuels Association (RFA) for meeting the misfueling mitigation conditions of the E15 partial waivers.² Misfueling mitigation plans are important to the successful introduction of E15 into commerce.

As you know, the E15 partial waivers include a condition requiring each fuel and fuel additive manufacturer subject to the waivers to submit to the U.S. Environmental Protection Agency a misfueling mitigation plan (MMP), for EPA's approval, and to fully implement the EPA-approved MMP prior to introduction of the fuel or fuel additive into commerce as appropriate. The partial waivers specify that reasonable precautions include, but are not limited to, measures for labeling E15 fuel pump dispensers, providing information on product transfer documents and participating in a compliance survey.

With this letter, we are approving your use of the Model Plan so long as you dispense E15 using an approved configuration as described on the E15 Misfueling Mitigation Plan web page.³ Use of an unapproved configuration would violate the MMP condition of the E15 partial waivers, and sale of any E15 or ethanol sold for E15 using an unapproved configuration would not be lawful under the Clean Air Act.

If you wish to use another means of dispensing E15 not described and approved on the E15 Misfueling Mitigation Plans web page, you may submit for EPA review and approval the specific measures that would be taken to ensure that appropriate ethanol concentrations are dispensed. To the extent the EPA approves additional configurations that may be of general use, we will provide notice of those approvals on our E15 website (<http://www.epa.gov/otaq/regs/fuels/additive/e15>) and you may use those measures at your discretion without further notice to or from the EPA.

¹ The March 2, 2012 Model Plan can be found at <http://www.epa.gov/otaq/regs/fuels/additive/e15/documents/rfa-model-e15-misfueling-mitigation-plan.pdf>.

² The partial waivers issued October 13, 2010 (75 FR 68,094, Nov. 4 2010) and January 21, 2011 (76 FR 4,662, Jan. 26, 2011) allow fuel and fuel additive manufacturers to introduce into commerce gasoline-ethanol blends containing greater than 10 volume percent and no more than 15 volume percent ethanol (E15) for use in model year (MY) 2001 and newer light-duty motor vehicles.

³ EPA's E15 Misfueling Mitigation Plan web page can be found at <http://www.epa.gov/otaq/regs/fuels/additive/e15/e15-mmp.htm>.

The Model Plan commits your company to participating in a compliance survey that must be separately submitted for EPA approval before E15 may be introduced into commerce. On December 12, 2012, we approved the 2013 E15 survey plan submitted by the RFG Survey Association (RFGSA) on behalf of a number of companies. Other companies may enroll in the plan by contacting RFGSA. It is worth noting that the RFGSA plan identifies retail stations for sampling based in part on the use of blender pumps so any issues with dispensing E15 from such pumps can be identified and addressed. Failure to fully implement the Model Plan or participate in the EPA-approved survey plan will mean the E15 fuel or fuel additive introduced into commerce by your company is not covered by the EPA partial waivers.

As E15 enters the market, EPA plans to work with stakeholders to monitor the effectiveness of E15 misfueling mitigation measures, including those in the Model Plan and the approved dispensing configurations. If the EPA determines that additional measures may be needed, we will notify you and may seek your input and that of other stakeholders to determine what, if any, additional measures should be included in the Model Plan so that it fulfills the MMP requirement of the E15 partial waivers.

Thank you for committing to take the important steps described in the Model Plan, this letter and the E15 Misfueling Mitigation Plans web page for successfully bringing E15 to market. Let me also take this opportunity to remind you that E15 introduced into commerce, including through blender pumps, is subject to the same Clean Air Act regulatory requirements as gasoline. If you need any further assistance, please contact Robert Anderson of my staff at (202) 343-9718.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Grundler", followed by a stylized flourish.

Christopher Grundler, Director
Office of Transportation and Air Quality



Casey's Retail Company

P.O. Box 3001 • One Convenience Blvd. • Ankeny, Iowa 50021

June 28, 2013

Director, Compliance Division
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Code: 6405J
Washington, DC 20460

Dear Director:

As both a fuel retailer and an oxygenate blender our company intends to participate in the introduction into commerce of ethanol blends containing no more than 15 volume percent ethanol (E15). We seek approval to adopt the Renewable Fuels Association Model E15 Misfueling Mitigation Plan dated March 2, 2012.

This plan will be used by our company to meet the E15 waiver conditions requiring a Misfueling Mitigation Plan.

In addition, Casey's Retail will dispense E15 using a dedicated hose, use the mandatory federal E15 label, inform suppliers of Product Transfer Document requirements for E15 shipments, participate in the EPA-approved Fuel Survey Plan, and support consumer education as part of the E15 Outreach Coalition.

In addition, Casey's Retail will dispense E15 using the same hose and nozzle as E10 and E0, use the mandatory federal E15 label and Minimum 4 Gallon Purchase label, inform suppliers of Product Transfer Document requirements for E15 shipments, participate in the EPA-approved Fuel Survey Plan, and support consumer education as part of the E15 Outreach Coalition.

Also, please note that E0 and E10 are available at another fueling position through a hose that does not dispense blends higher than E10.

Sincerely,

Robert C. Ford

Vice President

